

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**CHIEF HEARING OFFICER DIRECTIVE**

**DOCKET NO. 2021-88-E ORDER NO. 2021-73-H**

**JUNE 4, 2021**

**CHIEF HEARING OFFICER: David Butler**

**DOCKET DESCRIPTION:**

**Dominion Energy South Carolina, Incorporated's 2021 Avoided Cost Proceeding Pursuant to S.C. Code Ann. Section 58-41-20(A)**

**MATTER UNDER CONSIDERATION:**

**Petition to Intervene of Pine Gate Renewables, LLC**

**CHIEF HEARING OFFICER'S ACTION:**

**This matter comes before the Chief Hearing Officer on the Petition to Intervene of Pine Gate Renewables, LLC ("Pine Gate"). The Petition is timely filed, and no objections to the intervention have been filed.**

**After it has been determined that the Petition has been timely filed, the next question for the Commission is to determine whether or not the petitioning party has clear factual support or grounds for the proposed intervention. S.C. Regs. 103-825A(3) requires that a party making a Petition to Intervene in a matter pending before the SC Public Service Commission must:**

**set forth clearly and concisely:**

- (a) The facts from which the nature of the petitioner's alleged right or interest can be determined;**
- (b) The grounds of the proposed intervention;**
- (c) The position of the petitioner in the proceeding.**

**According to the Petition, Pine Gate is a fully-integrated utility-scale solar company and a leader in the development, financing, construction and long-term operation and management of renewable energy projects throughout the United States, specifically including DESC service territory. Pine Gate states that it and its affiliates currently have 12 projects totaling 191 MW ac in operation that sell their output exclusively to DESC pursuant to PURPA and one project totaling 74.98 MW ac in construction. In addition to helping meet DESC's need for renewable energy, Pine Gate states that projects in DESC's service territory will help energy buyers meet their renewable energy goals, create hundreds of good paying jobs, and provide significant new tax revenues for South Carolina local governments. Pine Gate asserts that it has substantial and specific economic interests in renewable energy in South Carolina and this Commission's actions thereon.**

**Pine Gate states that it will be directly and substantially affected by the outcome of this proceeding and that Pine Gate's business interests will be directly and financially impacted by this Commission's resolution of the subject matter of this Docket. Pine Gate notes that its interests cannot be adequately addressed by any other party. Pine Gate further asserts that its Intervention will aid this Commission, by assisting in the development of a full and fair record to address the important decision to be made in this Docket.**

**Pine Gate notes that the grounds for its Petition are that this Commission's review and approval of DESC's "...standard offer, avoided cost methodologies, form contract power purchase agreements, commitment to sell forms, and any other terms or conditions...", in DESC's 2021 Avoided Cost Proceeding is important to Pine Gate because of its direct financial impact on Pine Gate.**

**From these facts, this Hearing Officer holds that Pine Gate has successfully satisfied the three criteria for intervention stated in the Regulation. Pine Gate's interest in this matter can clearly be discerned, as can the grounds for the intervention, and the Company's position.**

**In addition, according to Pine Gate, the granting of its Petition to Intervene is (i) in the public interest and (ii) consistent with the policies of this Commission in encouraging maximum public participation in issues before it and intervention should be allowed so that a full and complete record addressing its views and concerns can be developed.**

**In this case, the Petition to Intervene was timely filed and there are no objections to the intervention. Accordingly, the Petition to Intervene of Pine Gate Renewables, LLC is hereby granted in this Docket. This ends the Chief Hearing Officer's Directive.**